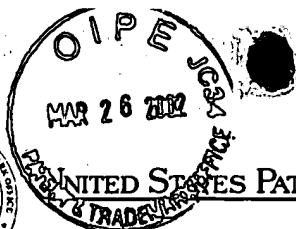


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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/941,154	08/27/2001	John R. Bianchi	RTI-112RIA

CONFIRMATION NO. 5282

FORMALITIES LETTER



OC000000007186286

Timothy H. Van Dyke
Bencen & Van Dyke, P.A.
1630 Hillcrest Street
Orlando, FL 32803

Date Mailed: 12/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- o Total additional claim fee(s) for this application is \$3698.
 - \$1458 for 81 total claims over 20.
 - \$2240 for 28 independent claims over 3.
- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 4538.

A copy of this notice **MUST** be returned with the reply.Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/28/2002 MAILED1 00000080 09941154

01 FC:101 740.00 OF

02 FC:102 1764.00 OF

03 FC:103 1008.00 OF

04 FC:105 130.00 OF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bianchi *et al.*

Application No.: 09/941,154

Filed: 8/27/2001

Title: ASSEMBLED IMPLANT, INCLUDING MIXED-COMPOSITION SEGMENT

Attorney Docket No.: RTI-112RIA

Group Art Unit:
1615

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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
PETITION TO MAKE APPLICATION UNDER 37 CFR § 1.47(a)**

Assistant Commissioner for Patents
Washington, D.C. 20231
Attention: Box Missing Parts

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

(X) Partially executed Declaration and Power of Attorney. Please see the attached Petition under 37 C.F.R. 1.47(a) for explanation of partial execution. The above-identified application is the same application, which the inventor executed by signing the enclosed declaration.

(X) Statutory basic filing fee of \$740.00 (X) Utility () Design

(X) Preliminary Amendment; New Fee Transmittal reflecting re-calculated additional claim fees of \$2,772.00 (\$1008.00 for 76 total claims over 20 and \$1,764.00 for 21 independent claims over 3).

(X) Missing Parts Surcharge of \$130.00.

(X) Petition and fee for a one-month extension of time in the amount of \$110.00.

(X) Petition to Make Application Under 37 CFR § 1.47(a) with attachments.

(X) Petition fee under 37 CFR §1.17(h).

(X) Payment is by credit card. Form PTO-2038 is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: March 12, 2002

Typed Name: Timothy H. Van Dyke

Signature: 

Respectfully submitted,

By 

Timothy H. Van Dyke, Reg. No. 43248

Date: March 12, 2002

Customer No: 29847

Van Dyke & Associates, P.A.

1630 Hillcrest Street

Orlando, FL 32803

Phone: 407-228-0328; Fax: 407-228-

Adjustment date: 06/17/2002
03/28/2002 MAILED 00000080 09941154
01 FC:101 -740.00 OP
02 FC:102 -1764.00 OP
03 FC:103 -1008.00 OP
04 FC:105 -130.00 OP

Refund Ref: 06/17/2002 0030008000

Credit Card Refund Total: \$1876.00

Master C: XXXXXXXXXXXX1938

06/17/2002 KELLEY 00000011 09941154
01 FC:201 370.00 OP
02 FC:202 888.00 OP
03 FC:203 504.00 OP
04 FC:205 65.00 OP
05 FC:215 55.00 OP

**FEE
TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/941,154
Filing Date	8/27/2001
First Named Inventor	Bianchi, et al.
Examiner Name	Unknown
Group Art Unit	1615

TOTAL AMOUNT OF PAYMENT (\$ 2,772.00)

Attorney Docket No. RTI-112RIA

METHOD OF PAYMENT

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number
Deposit
Account
NameCharge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
Applicant claims small entity status.
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

Check ☐ Credit Card ☐ Money
Order ☒ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
76	20**= 56 X	18.00	1008.00
24	3**= 21 X	84.00	1764.00
Multiple Dependent			

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$2772.00)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Timothy H. Van Dyke	Registration No. (Attorney/Agent)	43218	Telephone	407-228-0328
Signature				Date	3-12-2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.

1630 Hillcrest Street
Orlando, Florida 32803
USA



Van Dyke & Associates, PA

INTELLECTUAL PROPERTY LAW

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TO : Ms. Diane Carter – c/o Mr. Larry Ciesla
FAX No. : 352-375-6249
No of PAGES : 2 (including cover sheet)
FROM : Van Dyke & Associates, P.A.
DATE : February 11, 2002
RE: : The attached letter

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Please see the attached letter. Thank you.

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FEB-11-02 3:02PM

JOB	START TIME	USAGE	PHONE NUMBER/ADDRESS	TYPE	PAGES	MODE	STATUS
109	2/11 3:00PM	1'08"	3523756249	SEND.....	2/ 2	EC 96	COMPLETED.....

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RE: The attached letter

MAIL CONFIRMATION TO FOLLOW

Please see the attached letter. Thank you.

If you do not receive all pages or if any portion of this transmission is not legible, call the sender at (407) 228-0328.

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Phone: (407) 228-0328
Fax: (407) 228-0329
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February 11, 2002

Ms. Diane Carter
c/o Mr. Larry Ciesla
P.O. Box 1161
Gainesville, FL 32602

**VIA FACSIMILE &
MAIL CONFIRMATION**

Re: Formal Filing Documents for our Docket Nos:
TB-104IACA; RTI-118IB; RTI-118IC, RTI-112RIA & RTI-D1

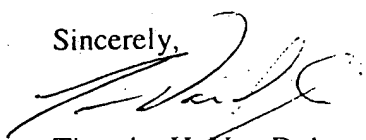
Dear Ms. Carter:

You are in possession of several patent related documents (declaration/power of attorney and assignments forms) for which your signature is needed as the administrator of Mr. Kevin Carter's estate. As far back as November 2001, I have been communicating with you through your attorneys to explain the purpose of these documents. You have also been told that deadlines exist by which these forms must be submitted to the U.S. Patent and Trademark Office. To date, none of the executed forms have been returned to our office.

My client, Regeneration Technologies, Inc., has incurred attorney's fees and time extension fees to keep some of the underlying patent applications pending. Unless the subject forms are filed in the Patent Office, more fees will be incurred, or worse, the applications may go abandoned. As each day passes, the urgency to file the forms increases. Therefore, unless we are faxed (followed by mail) the documents that we sent to you on January 17, 2002 and January 22, 2002 regarding our Docket Nos. TB-104IACA; RTI-118IB; RTI-118IC, RTI-112RIA & RTI-D1 by **Wednesday, February 13, 2002**, we will proceed to file the necessary documents without your signature. Concurrently, we will file a Petition under 37 CFR 1.47 requesting that the Patent Office accept these documents without your signature given your unwillingness to execute them.

In view of Mr. Kevin Carter's clear obligation to assign his rights to any invention he invented in the scope of his employment with RTI, I was hoping that you would recognize this obligation, and be cooperative in executing the necessary forms. I still hope that we can cooperate, as ultimately it serves both your and RTI's interests.

Sincerely,



Timothy H. Van Dyke
Patent Counsel for Regeneration Technologies, Inc.
TVD/mkk

Van Dyke & Associates, P.A.
1630 Hillcrest Street
Orlando, Florida 32803

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